



47 May 1980 file G34

Department of Energy
Washington, D.C. 20545

December 3, 1979

Those on Attached List

Gentlemen:

It has been some time since I last updated you on activities re the Marshall Islands. Inasmuch as several matters have occurred during that time, I shall try to briefly identify recent events. These may be the subject of further discussion at the next meeting.

I. General

1. I have been relocated within the Office of Health and Environmental Research as a program manager responsible to Dr. Burr. Mr. Tommy McCraw likewise has been transferred to OHER. A full time secretary and a 3rd staff person are in the process of being obtained.
2. Three projects funded by OES (the LLL Dose Assessment project, the BNL whole body counting activities, and the Univ. of Washington studies) also are being transferred to OHER beginning in FY 81. Thus all funding re the Pacific will originate from OHER with the exception of the 13 atoll survey and the Enewetak support programs, both of which are scheduled to terminate in CY 1980.
3. Mrs. Linda Hurley, who since 1974 has assisted me in secretarial matters (and who also was Dr. Carter's secretary), has since early October lived at the NIH hospital where her son is undergoing diagnostic tests and treatment. She has not been available during that time, nor is it likely that she will return to full time work for some weeks to come. Consequently, correspondence and other office activities have slowed down considerably.

Enewetak

1. Several of you have commented upon the observation that "planning and preparation have begun for northern island planting." Also, by letter of October 12, 1979, Dr. Bair

RG 434

Location

EH

Access No.

B-1086 Job 9, 89

Folder

5470 Enewetak Cleanup

requested an update on this issue. By telephone the Department of Interior (DOI) requested an estimate of the potential radiation exposure contribution to Enewetak people assuming that they live on Japtan, Medren and Enewetak islands, and that they visit the six northeastern islands solely to tend coconut trees and harvest copra, particularly under the assumptions of time and ingestion given in the LLL dose assessment. It was pointed out to DOI that there also was the question of the marketability of the copra, but they were interested primarily in the potential exposure to people under the stated conditions. A copy of the response to them has already been sent to you (Enclosure A). Based upon this information DOI decided to approve the planting of coconut trees on the six northeastern islands. This matter subsequently has been discussed with the Office of Territorial Affairs and with the Solicitor General of DOI. Their position is that a) the potential exposures are within both FRC guidance and AEC recommendations, b) to plant the islands is in keeping with the master plan, and c) they have 6-8 years to consider the issue of marketability - if in fact they are contaminated. On several occasions I have told DOI that a) at present we have no basis on which to offer any hope that "science" will find a way to reduce or eliminate the uptake of radionuclides, especially of Cs and Sr, in coconuts, b) work is continuing in an effort to identify the location of radionuclides in the coconut, and c) once the Trust Territory Agreement ends, who will be responsible for decisions? (For example, if in 3-5 years it becomes apparent that the copra is not marketable, who will decide what, if anything should be done, e.g., to destroy the crop? Will this be the responsibility of the Marshall Islands Government, the Enewetak Council, Mr. Mitchell, or who? This is of particular importance since there will be no Trust Territory of the Pacific Islands, no High Commission and no Department of Interior presence.) DOI's informal response was that even if the coconuts are not saleable, they will only rot on the islands and the people are no worse off then if they never were planted.

On this and other matters DOI recently sent us a draft letter to Congressman Yates for comment. A copy of their draft and our comments are enclosed. (Enclosures B and C).

Last week DOI also wrote us on another matter (to be discussed below), and it is our intention to address the coconut issue again in our reply to this letter.

2. In response to a request from Mr. Mitchell that DOE present dose assessments and risk assessments to the people of Enewetak, and in fulfillment of a commitment made by Joe Deal in December, 1978, to do so, a number of people traveled to Ujelang on September 18-20 to do so. DOE was represented by Hal Hollister, Tommy McCraw, Bill Brown, Roger Ray, Harry Brown and me; Leo Krulitz (Solicitor General) represented DOI; Allen Richardson represented EPA; Alice Buck, John Iaman, John Healy and Bill Bair also attended at our request. Mr. Mitchell was accompanied by Randy Brill, Mike Bender and Bill Ogle. The Deputy High Commissioner also attended, as did the Chief Secretary of the Marshall Islands and the CBS "60 Minutes" camera crew. I will be pleased to discuss the trip in detail at your convenience.

The primary DOE contribution to the meeting was the presentation and explanation of the book "Enewetak Today," which has already been sent to you. The President of the Marshall Islands also sent an open letter to the people of Enewetak (Enclosure D). Following our meeting with the people, their Council met with Mr. Mitchell and his advisors; this meeting resulted in a petition to DOI to reconsider the resettlement to Enjebi (Enclosure E).

A personal note - the generosity and hospitality of the people were overwhelming.

3. DOE has discussed the desirability, if not necessity, of preparing a supplemental EIS to consider the resettlement of Enjebi. Mr. Mitchell has challenged the need for this, as well as the relevance of Radiation Protection Guides and Protection Action Guides (see Enclosure F, see also previously sent EPA letter to Mrs. Van Cleve). Upon receipt of the letter, DNA indicated that they wanted a meeting with Krulitz and staff, Clusen and staff, and EPA staff to discuss the necessity of a supplemental EIS, DNA's interest presumably based upon the fact that DNA prepared the original EIS. This meeting has not yet been scheduled, however.

4. LLL is recalculating the dose assessment in the light of a) additional information now available from the remainder of the islands, and b) in conformance of ICRP-30. While the specific numbers will change, the changes are not expected to be sizeable ones.

5. In reviewing the LLL preliminary dose assessment, Ed Bramlitt, DNA Field Command, questioned the calibration procedures used in the IMP's, specifically the soil composition used in calibration vs. the soil composition at Enewetak. (You may recall that the general issue of calibration is one which you have raised in the past). Indications from Las Vegas are that Mr. Bramlitt is correct, and that errors of 20-25% may have been introduced, the readings being lower than actual radioactivity levels. Until this is clarified and the extent of revisions is assessed, LLL revised dose assessments are on "hold." Perhaps more important is the possibility that island certification documents may have to be revised and that island usage reconsidered per the guidelines for TRU levels. Roger Ray's only communication on this subject is enclosed (Enclosure G). A team has gone out to Enewetak to make additional measurements for calibration.

6. With LLL in the process of writing a "final" dose assessment, any comments, suggestions, criticisms, etc., which you may have should be transmitted to Dr. Robison as soon as possible.

7. The Corps of Engineers asked DNA what plans were made for continuing monitoring of the structural integrity of the crypt. DNA replied that they end their involvement on April 15, 1980, and that DOE will monitor lagoon water, fish, etc. Presumably the direct question was not answered, although I have not seen DNA's response.

8. Except for a request for additional copies of the book "Enewetak Today," we have not heard from Mr. Mitchell since the meeting with the Enewetak people. He is, however, attempting to rally Congressional support for resettlement of Enjebi.

9. It is reasonable to assume that Congressional hearings may be held on this subject sometime within the next few months.

10. DOI recently requested the number of years before exposure on Enjebi would be within U.S. exposure limits. Their letter and a draft of our reply are enclosed (Enclosures H and I), the latter addressing several other issues as well. Any comments would be appreciated ASAP.

11. Whole body counting of the Enewetak people at Ujelang and at Japtan is scheduled tentatively for January-February, 1980. This will give us baseline data prior to their return to the Atoll in April, 1980.

12. Formal ceremonies are being planned by DNA for return of the Enewetak people to the Atoll on April 8, 1980.

III. Bikini

1. En route to/from Ujelang, DOI (Krulitz) and DOE (Hollister) stated to Bikini representatives that if requested we would prepare a book for the similar to "Enewetak Today" and would meet with them sometime in 1980, presumably no later than September, 1980. (Any comments or recommendations which any of you might wish to make regarding the content and effectiveness of the book "Enewetak Today" would be most welcome so that they might be considered prior to the preparation of a book for the Bikinians.)

2. The Bikinians are seriously considering relocating on Wake Island.

3. On November 20, Tommy McCraw and I met with DOI, representatives of the Bikini Council and the Council's legal counsel, Mr. Jonathon Weisgall. Their concerns were several:

- a. Comparison of Eneu with Enjebi and the southern islands of Enewetak.
- b. Potential effectiveness of scraping the surface of Eneu.
- c. Potential exposure levels of a rotating Bikini population living on Eneu for a period of 6 months at a time roughly once every 4-5 years.
- d. Comparison of Eneu with U.S. exposure levels (radiological maps of continental U.S. and of Marshall Islands/Eneu/Bikini were provided).

4. LLL is about 2 months away from a final dose assessment for Eneu and Bikini. Pending another meeting with Mr. Weisgall, LLL may be asked to include potential doses:

- a. With and without imported food,
- b. Resulting if the top 6 inches of soil were removed from Eneu,
- c. If families lived on Eneu for 6 months at a time at 4-5 year intervals,

- d. With varying amounts of time spent on Bikini.
5. The Bikinians and their legal counsel do not seem to challenge the applicability of U.S. exposure limits to their situation (although Mr. Mitchell does).
6. The Bikinians, should they decide to return to Eneu regardless of circumstances, might be willing to sign statements releasing the U.S. from liability for future related health consequences. The value of such a release is unknown. (Mr. Mitchell takes the position that should people return to Enjebi, the U.S. must share in that increased risk by accepting continued liability for any radiological consequences).
7. LLL would very much like to hire a Marshallese to tend the garden plot on Eneu. Roger Ray wrote to the Marshall Islands Government re this, with a copy to DOI and, subsequently, to DOE. DOI asked DOE if we concurred in this request (which we had not) and expressed concern that the Bikini people would interpret this as discrimination (i.e., if "he" can live there, why can't we?). Discussions are continuing and the issue is not yet resolved.

IV. The Burton Bill

1. On October 10 the Senate held hearings on the Burton Bill. While Mr. Mitchell and DOI were invited to testify, DOE was not asked for comments. Their formal statements are enclosed, including both DOE testimony and written reply (Enclosures J, K, and L).
2. Prior to the hearing, OMB was concerned about these items: that the open-ended health care plan be modified to periodic examination for radiation related effects and treatment if necessary, and that DOE responsibilities be funded directly rather than through DOI. These concerns are reflected in DOI's statement.
3. The presiding Senator, Matsunaga of Hawaii, apparently offered two opinions: that since DOI is the lead agency covering a broad scope of programs in the Pacific, funding and responsibility should be located in DOI rather than fragmented among departments, and that a comprehensive program plan would seem desirable. No requests were made or directives given, however.
4. The bill currently is under study with the Senate subcommittee.

V. Office of Micronesian States Negotiation

DOE continues to be actively involved in the interagency discussions and activities, particularly re nuclear claims.

VI. Brookhaven National Laboratory

A number of issues have been raised addressing personnel, financial and programmatic matters. A number of these issues are directly linked to NVOO and PASO interactions and activities. I will be pleased to discuss them in more detail should you so desire.

VII. Hearings

The Senate Energy and Natural Resources Committee (including Senators Jackson, Johnston and Matsunaga) is expected to hold 2 days of hearings re Bikini and Enewetak resettlements during the week of January 21 in Honolulu.

VIII. Palomares

I had the opportunity to accept Dr. Iranzo's kind invitation to visit Palomares with him. I will be pleased to discuss this matter with you if you wish, and to share photographs with you.

Sincerely,



Bruce W. Wachholz, Ph.D.
Office of Environment

12 Enclosures